

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

JASON ALFORD *et al.*,

Plaintiffs,

v.

THE NFL PLAYER DISABILITY &
SURVIVOR BENEFIT PLAN *et al.*,

Defendants.

Case No. 1:23-cv-00358-JRR

**DEFENDANTS' JOINT RULE 12(b)(6) MOTION TO DISMISS
PLAINTIFFS' AMENDED CLASS ACTION COMPLAINT**

Defendants the NFL Player Disability & Survivor Benefit Plan, the NFL Player Disability & Neurocognitive Benefit Plan, the Bert Bell/Pete Rozelle NFL Player Retirement Plan, the Disability Board of the NFL Player Disability & Neurocognitive Benefit Plan, Larry Ferazani, Jacob Frank, Belinda Lerner, Sam McCullum, Robert Smith, Hoby Brenner, and Roger Goodell hereby move to dismiss the Amended Class Action Complaint filed by Plaintiffs Jason Alford, Daniel Loper, Willis McGahee, Michael McKenzie, Jamize Olawale, Alex Parsons, Eric Smith, Charles Sims, Joey Thomas, and Lance Zeno on behalf of themselves and all others similarly situated. For the reasons stated in the accompanying Memorandum in Support of Defendants' Joint Rule 12(b)(6) Motion to Dismiss Plaintiffs' Amended Class Action Complaint, the Amended Class Action Complaint should be dismissed in its entirety and with prejudice because Plaintiffs fail to state a claim for any violation of the Employee Retirement Income Security Act ("ERISA").

WHEREFORE, Defendants respectfully request dismissal of the Amended Class Action Complaint.

Date: June 27, 2023

/s/ Gregory F. Jacob

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Gregory F. Jacob, hereby certify that on June 27, 2023, I caused a copy of the foregoing document to be served upon all counsel of record via the CM/ECF system for the United States District Court for the District of Maryland.

/s/ Gregory F. Jacob
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